
**HIGHER RIGHTS OF AUDIENCE ASSESSMENT
IN RESPECT OF CRIMINAL PROCEEDINGS**

THE PRACTICAL ASSESSMENT

ANNEXURE A

**THE EVIDENTIAL MATERIAL PRESENTED IN
THE WRITTEN EXAMINATION QUESTION PAPER**

The Case

You are a solicitor advocate briefed by the Director of Legal Aid to represent a 39-year-old woman, Carol Chan, who has been charged with one count of trafficking in a dangerous drug contrary to section 4(1)(a) and (3) of the Dangerous Drugs Ordinance, Cap 134.

The case against your client is contained in the document below that is headed 'Summary of the prosecution evidence'.

Her evidence is contained in the notes of a meeting that you conducted with her, those notes being headed 'Defence notes'.

Summary of the prosecution evidence

On 24 May 2016, a squad of six police officers (PC 111, PC 222, PC 333, PC 444, WPC 555 and SGT 666) attached to Tsuen Wan Police Station were on duty in plainclothes. At around 4:20 p.m., the squad were briefed on an anti-drug operation to be mounted at Unit 101, 1/F, Venture Building, Kwai Chung (“the Premises”). They had a search warrant Writ No.1234 of 2016 issued by Tsuen Wan Magistrates’ Court.

At 5:25 p.m., the squad arrived in the vicinity of the Premises and were instructed to lie in ambush in the corridor on 1/F, Venture Building.

At 5:50 p.m., PC 111 noticed a man (later known as Male, Thomas Tsoi, aged 43) standing outside the Premises. Thomas Tsoi, facing the wooden door, looked around and knocked on the door once with his right hand. The door was opened and Thomas Tsoi entered the Premises. PC 111 and two police officers went up to stop Thomas Tsoi. They also found a woman (later known as Female, Carol Chan, aged 39) inside the Premises. The police officers revealed their identities by showing the police warrant cards and asked for identification documents. Immediately afterwards, PC 222 and two other police officers arrived at the Premises.

At 5:52 p.m., SGT 666 showed Carol Chan and Thomas Tsoi the search warrant (i.e. Writ No. 1234/2016) and explained the contents of the search warrant to them.

From 5:55 p.m. to 5:57 p.m., PC 333 searched Thomas Tsoi. No suspicious items were found.

From 5:58 p.m. to 6:00 p.m., in the toilet of the Premises, WPC 555 searched Carol Chan. No suspicious items were found.

At 6:01 p.m., witnessed by Carol Chan and Thomas Tsoi, PC 222 searched the Premises. During the house search, Carol Chan was guarded by PC 111 while Thomas Tsoi was guarded by PC 333.

At 6:10 p.m., PC 222 found a pink box on the round table near the sofa in the Premises. The box contained the following items:

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- (1) a transparent resealable plastic bag containing smaller transparent resealable plastic bags, each containing a powder in crystalline form suspected to be the dangerous drug ice;
 - (2) a transparent resealable plastic bag containing a crystalline substance in pellet form suspected to be the dangerous drug cocaine;
 - (3) a transparent resealable plastic bag containing a powder in crystalline form suspected to be the dangerous drug K Chai or ketamine,
 - (4) a pair of metal pliers,
 - (5) several transparent resealable plastic bags, and
 - (6) an electronic scale (with batteries).

At 6:12 p.m., PC 111 declared arrest on Carol Chan for the offence of trafficking in a dangerous drug and cautioned her. After being cautioned, Carol Chan said to PC 111, ‘Ah Sir, I bought the dangerous drug ice, K Chai and Hoh Lok for treating others, and I would consume a little. Give me a chance.’

Meanwhile, PC 333 declared arrest on Thomas Tsoi for the same offence and cautioned him.

At 6:13 p.m., in the presence of Carol Chan and Thomas Tsoi, PC 222 placed the pink box and the suspected dangerous drugs inside back to the original position, and continued to search the Premises.

At 6:21 p.m., SGT 666 informed IP Au, the Officer-in-Charge (“OC”), about the situation.

At 6:29 p.m., IP Au arrived at the scene.

At 6:32 p.m., PC 222 showed the suspected dangerous drug exhibits to IP Au.

At 7:00 p.m., PC 222 finished the house search. No more suspicious items were found.

At 7:02 p.m., PC 333 handed over the yellow mobile phone seized from Thomas Tsoi to PC 222 for safekeeping.

At 7:05 p.m., PC 111 handed over a blue plastic wallet with HKD2,250 inside on the round table to PC 222 for safekeeping. PC 222 also seized a

Samsung mobile phone on the table, a bunch of keys and two pages of rent receipt in the drawer of the table.

From 7:10 p.m. to 7:20 p.m., in the Premises, PC 111 issued and explained a Pol.153 to Carol Chan. Carol Chan signed to acknowledge receipt of its copy.

At 7:20 p.m., WPC 555 contacted the officers of Identification Bureau.

From 7:25 p.m. to 7:30 p.m., PC 222 drew a sketch of the scene. In summary, the Premises can be described as follows:

- (1) The flat was a 200-square-foot unit with open kitchen;
- (2) Standing by the door at one corner, there were along the wall a mirror cabinet, a vanity table, a glass cabinet, a wall-mounted television and a refrigerator;
- (3) On the opposite side, there were a toilet, a single-size bed and an L-shaped sofa;
- (4) In the empty space in the middle, there were a round table and a sofa chair.

From 7:23 p.m. to 8:15 p.m., in the Premises, PC 111 post-recorded a cautioned statement from Carol Chan in his note book.

At 8:20 p.m., two officers of Identification Bureau arrived at the scene.

From 8:25 p.m. to 8:55 p.m., witnessed by Carol Chan and Thomas Tsoi, the officers of Identification Bureau dusted for fingerprints (5 fingerprints and 1 palmprint) and took photographs (10 photographs).

At 9:00 p.m., the squad escorted Carol Chan and Thomas Tsoi to Kwai Chung Police Station in police vehicle AM 1234.

At 9:10 p.m., the squad and Carol Chan and Thomas Tsoi arrived at the Report Room, Kwai Chung Police Station and waited for the Duty Officer (“DO”) at the Report Room.

At 9:30 p.m., with Carol Chan and Thomas Tsoi under escort, the squad reported the facts of the case and showed the suspected dangerous drugs to the DO, SSGT Luck.

From 9:31 p.m. to 9:34 p.m., in the presence of Carol Chan and Thomas Tsoi, the DO weighed the suspected dangerous drugs, and the results were as follows:

- (1) The resealable plastic bag containing smaller transparent resealable plastic bag, each containing a powder in crystalline form suspected to be the dangerous drug ice weighed 26 grammes in total;
- (2) The transparent resealable plastic bag containing a powder in crystalline form suspected to be the dangerous drug cocaine weighed 6 grammes;
- (3) The transparent resealable plastic bag containing a crystalline substance in pellet form suspected to be the dangerous drug ketamine weighed 6 grammes.

Then, PC 222 continued to keep the suspected dangerous drugs.

From 9:43 p.m. to 9:52 p.m., the DO issued and explained a Pol.1123 to Carol Chan. Carol Chan signed it.

From 9:53 p.m. to 9:55 p.m., in the Search Room, WPC 555 and another WPC searched Carol Chan again. No suspicious items were found.

At 9:56 p.m., PC 111 handed over Carol Chan to the Report Room for detention.

At 10:44 p.m., PC 111 signed out Carol Chan from the Report Room to go through the procedures of the handover of the dangerous drugs.

At 10:45 p.m., since the procedures of the handover of the dangerous drugs could not be gone through at that time, PC 111 handed over Carol Chan back to the Report Room for detention.

At 11:29 p.m., PC 111 signed out Carol Chan from the Report Room to go through the procedures of the handover of the dangerous drugs.

From 11:31 p.m. to 11:37 p.m., in the presence of SSGT Lam, the DO (on the next shift after SSGT Luck) of the Report Room, Carol Chan and

Thomas Tsoi, PC 222 sealed the suspected dangerous drugs in six Tamper Evident Property Envelopes.

At 11:39 p.m., PC 222 handed over the six sealed Tamper Evident Property Envelopes to SSGT Lam for safekeeping.

At 11:40 p.m., PC 222 signed out the six sealed Tamper Evident Property Envelopes from the Duty Officer.

At 11:42 p.m., Carol Chan signed a Pol.157 and received a copy of 4 pages of a cautioned statement from PC 111.

At 11:47 p.m., since the equipment for video recorded interviews of Kwai Chung Police Station malfunctioned, the squad escorted Carol Chan to Tsuen Wan Police Station for a video recorded interview in police private vehicle MV 1234.

At 11:56 p.m., the squad arrived at Tsuen Wan Police Station.

At 00:01 a.m. on 25 May 2016, the squad escorted Carol Chan to Room 210, Video Interview Room at Tsuen Wan Police Station, for a video recorded interview.

From 00:05 a.m. to 00:13 a.m., PC 111 issued and explained a Pol.153 to Carol Chan. Carol Chan signed to acknowledge receipt of its copy.

From 00:16 a.m. to 00:35 a.m., PC 111 and PC 222 conducted a video recorded interview (“VRI”) with Carol Chan. The highlights of the video recorded interview can be summarized as follows:

- (1) Carol Chan’s cautioned statement upon arrest in the Premises meant that the dangerous drug was for her own consumption as well as for treating any friends who might come up;
- (2) She did not want to disclose the details of the friends who might be treated.
- (3) When she invited her friends for a treat, i.e. inviting them to take dangerous drugs, she did not collect money or other remunerations from them.
- (4) She bought the dangerous drugs on 20 May 2016 in Pak Tin Estate, Shek Kip Mei from an unnamed man.

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- (5) Thomas Tsoi was her boyfriend, but he did not know about the dangerous drugs in the Premises.
 - (6) She rented the Premises, and only she had the keys.
 - (7) She was a part-time clerk at a funeral services company, earning a monthly income of about \$5,000 to 6,000.
 - (8) The money inside the blue plastic handbag found on the table in the Premises was the wage she just got.
 - (9) The small plastic bags were used to store ornaments.
 - (10) The pair of metal pliers was used for repairing electrical appliances.
 - (11) The electronic scale was used for weighing the dangerous drugs, because she feared she might be cheated by the seller.
 - (12) She spent \$4,000 on the cocaine, \$600 on the ketamine, and \$2,500 on the ice.

At 00:37 a.m., Carol Chan signed to acknowledge receipt of a VRI DVD.

From 00:50 a.m. to 01:10 a.m., at Interview Room 3 of the Report Room, Tsuen Wan Police Station, PC 111 took an antecedents statement from Carol Chan.

From 01:27 a.m. to 01:38 a.m., PC 222 and PC 333 conducted a VRI with Thomas Tsoi.

From 01:40 a.m. to 02:30 a.m., PC 111, PC 222 and WPC 555 took fingerprints from Carol Chan.

At 02:37 a.m., the squad escorted Carol Chan to Kwai Chung Police Station in police private vehicle SD 1234.

At 02:46 a.m., the squad arrived at Kwai Chung Police Station.

At 02:48 a.m., PC 111 handed over Carol Chan to the Report Room, Kwai Chung Police Station, for detention.

At 03:41 a.m., PC 222 handed over the six sealed Tamper Evident Property Envelopes to the DO for safekeeping.

At 09:27 a.m., the DO of Kwai Chung Police Station handed over the six sealed Tamper Evident Property Envelopes to SPC 12345 for delivering to Government Chemist.

At 10:10 a.m., SPC 12345 delivered the said envelopes to the Government Chemist.

On 8 June 2016, SPC 12345 retrieved 7 sealed packages which purported to contain the dangerous drugs and the Dangerous Drugs Certificate from the Government Chemist.

Other Evidence

On 8 June 2016, the Government Chemist certified that the six sealed Tamper Evident Property Envelopes contained the following dangerous drugs:

- (1) 8.10 grammes of a crystalline solid containing 8.02 grammes of methamphetamine hydrochloride;
- (2) 11.8 grammes of a crystalline solid containing 11.7 grammes of methamphetamine hydrochloride;
- (3) 1.40 grammes of a crystalline solid containing 1.28 grammes of methamphetamine hydrochloride;
- (4) 1.22 grammes of a crystalline solid containing 1.20 grammes of methamphetamine hydrochloride;
- (5) 5.18 grammes of a solid containing 4.80 grammes of cocaine;
- (6) 4 tablet fragments (weight: 0.20 grammes) containing sildenafil;
- (7) 6.03 grammes of a powder containing 2.99 grammes of ketamine.

(Carol Chan was charged with trafficking in dangerous drugs, namely, 22.52 grammes of a crystalline solid containing 22.20 grammes of methamphetamine hydrochloride, 5.18 grammes of a solid containing 4.80 grammes of cocaine and 6.03 grammes of a powder containing 2.99 grammes of ketamine.)

On 22 July 2016, IP Lo, an officer attached to the Intelligence Division of Narcotics Bureau, Crime Wing, Police Headquarters, gave a statement on the market value of the dangerous drugs in the month of May 2016 as follows:

- (1) The average retail price for crystalline solid containing methamphetamine was HK\$ 302 per gramme;
- (2) 22.52 grammes of crystalline solid containing 22.2 grammes of methamphetamine hydrochloride could have been sold at street level for HK\$6,801 (HK\$302 per gramme x 22.52 grammes);
- (3) The average retail price for solid containing cocaine was HK\$1,061 per gramme;
- (4) 5.18 grammes of a solid containing 4.8 grammes of cocaine could have been sold at street level for HK\$5,496 (HK\$1,061 per gramme x 5.18 grammes).

On 29 July 2016, PC 444 took a statement from an estate agent Madam Leung who handled the lease of the Premises. Her evidence can be summarized as follows:

- (1) In June 2015, Carol Chan approached her with the intention of renting a flat for storing miscellaneous items.
- (2) On 26 June 2015, Carol Chan confirmed that she wanted to rent Unit 101, 1/F of Venture Building, Kwai Chung and signed the tenancy agreement which came into effect on 1 July 2015.
- (3) The Premises were owned by a company, which had entrusted all leasing matters to Madam Leung for handling. One of the directors of the landlord countersigned the tenancy agreement, but he was not present when Carol Chan signed the agreement. Nor did any director of the company ever see Carol Chan afterwards.
- (4) On the date of signing the agreement, Madam Leung handed 2 keys to the main door, 1 mail box key and 1 key to the main gate of Venture Building to Carol Chan.
- (5) After Carol Chan rented the Premises, she paid in person the monthly rent of HK\$4,800 to Madam Leung in cash.
- (6) Since February 2016, she has fallen into arrears with the rent.
- (7) Neither the landlord nor Madam would enquire into the purpose that Carol Chan had put to the Premises.

Defence notes

Family Background

Carol Chan is 39-year old. She received education up to equivalent of Form 6 in Hong Kong.

She has been living in Hong Kong since 2006. Her parents live in China, and her father runs a small ship construction company. In 2002, she married her late husband, who passed away in early 2016 due to heart disease.

Employment

In 2010, her late husband's logistics business closed down. He changed to work as a driver in a funeral services company. Through his introduction, Carol Chan started to work as a full-time clerk in the same company with a monthly salary of \$20,000.

In 2011 or 2012, Carol Chan separated with her late husband due to differences in opinions. As she found it awkward to come across him in workplace, she changed to work on a casual basis. The salary was unstable but on average she earned around \$5,000 to 6,000 per month. Her father would sometimes remit money to her to support her living. On average, he remitted RMB10,000 per month to Carol Chan prior to the arrest.

Drug Addition

Carol Chan admits that she was a drug addict. She first tried ice in 2011 or 2012 and later also cocaine and ketamine. She started using drugs as she was depressed when she separated with her late husband.

At that time, she would take 0.3 to 0.5 grammes of ice every day at the monthly expense of \$1,500, 1 to 2 grammes of cocaine 2 to 3 times a month at the monthly expense of \$5,000, and 1 gramme of ketamine 3 times a month at the monthly expense of \$300.

She bought all the dangerous drugs from Ah Ming whom she knew through friends. Whenever she wanted to purchase dangerous drugs, she would call

him and place the order. Ah Ming would then deliver the dangerous drugs to her home or workplace.

Criminal Record

Carol Chan has a clear record.

The Plea and the Instructions

Carol Chan shall plead NOT GUILTY to one count of trafficking in a dangerous drug.

Her defence is that all the dangerous drugs seized were for her own consumption.

She estimated that the surplus between the monthly income (consisting of her salary and contribution from her father) and expenditure was \$5,000, which was sufficient for her to buy dangerous drug for self-consumption. She maintained that there was no need for her to sell dangerous drugs for profit.

On 22 May 2016, she placed an order with Ah Ming for one ounce of ice, 7 grammes of cocaine and 7 grammes of ketamine. Ah Ming then delivered the dangerous drugs to her home. She paid \$2,500 for ice, \$600 for ketamine and \$4,000 for cocaine. After she paid \$7,100 to Ah Ming, she still had about \$3,000 cash with her. She bought larger quantity of dangerous drugs from Ah Ming because he would charge her cheaper for larger quantity.

After Ah Ming left, she repacked the dangerous drugs and placed them inside a white paper box under the sofa. Prior to the arrest, she had consumed around 1 gramme of ice, but not ketamine or cocaine.

At about 5:50 p.m. on 24 May 2016, Carol Chan heard a knock on the door. She therefore opened the door. Before Thomas Tsoi went in, three police officers in plainclothes rushed to him and pushed him into the Premises. They showed their police warrant cards, and SGT 666 showed her a search warrant. One police officer took Thomas Tsoi to the toilet.

SGT 666 asked Carol Chan where the dangerous drugs were. She pointed to the white paper box. The police officers took the dangerous drugs out

from the white paper box and put them on the round table. No one cautioned Carol Chan.

The police soon conducted a house search. Carol Chan was sitting on the sofa and guarded by WPC 555. The search lasted for about one hour. Thomas Tsoi was kept inside the toilet during the whole time (until he was taken to the Police Station).

No more dangerous drug was found. SGT 666 sat down on the sofa next to Carol Chan and asked if there was more. Carol Chan told him that those were all and those were for her own consumption. SGT 666 then told Carol Chan that they would make a post record entry and suggested her to admit that the dangerous drugs found were for her own consumption as well as for treating friends “so as to explain why such large quantity of dangerous drugs were found”. After consideration, Carol Chan decided to follow what SGT 666 said because she did not know that treating others dangerous drug would amount to a more serious crime of trafficking. PC 111 then wrote down the post record entry and asked Carol Chan to write down the declaration and sign at the end. He had not read over the content of the post record entry to her or let her read it before she wrote down the declaration and signed.

A police officer put all the dangerous drugs into the pink box placed on the round table. This pink box was previously used for keeping earrings and rings on the dressing table. Another police officer took some banknotes out from her Gucci wallet, which was probably placed in her bed, and then put the money into her blue wallet. Indeed, the blue wallet was previously used only for keeping cigarettes and lighters.

Before leaving for Tsuen Wan Police Station, PC 111 and PC 222 told Carol Chan to sit at a table next to the police cell. They told her that a VRI would be conducted on her later. PC 111 said he would like to have a rehearsal with her before the formal video record of interview. He then started asking from whom and from where she obtained the dangerous drugs. He also reminded her that she should state in the VRI that part of the dangerous drugs was for own consumption whereas part was for treating friends. He said he would ask for the names of the friends, but if she did not want to say, she could simply say she forgot or did not want to disclose.

**HIGHER RIGHTS OF AUDIENCE ASSESSMENT
IN RESPECT OF CRIMINAL PROCEEDINGS**

THE PRACTICAL ASSESSMENT

ANNEXURE B

BUNDLE OF EVIDENTIAL MATERIAL

The evidential material given to you in this practical assessment is based on the evidential material already presented to you in your written assessment. In particular, you may refer to:

1. Summary of the witness statement of IP Lo; and
2. The statement given by the defendant, Carol Chan, to her solicitors.

The bundle contains the following:

Prosecution material

1. The indictment
2. The witness statement of PC 111
3. The witness statement of PC 222
4. The witness statement of SGT 666

(For the purpose of the practical assessment, it is to be assumed that the evidence of other prosecution witnesses has been adduced and cross-examined in the usual course of a trial, including the evidence of the other police officers in the squad, the officers who handled the exhibits, the Government Chemist, the estate agent who handled the lease. You may assume that their evidence corresponds to the evidential material presented in your written assessment.)

Defence material

1. The statement given by Mr Chan Tat Man, the defendant's father.

Indictment

HCCC 1234/2016

IN THE HIGH COURT OF THE
HONG KONG SPECIAL ADMINISTRATIVE REGION
COURT OF FIRST INSTANCE
CRIMINAL CASE NO. 1234 OF 2016

HKSAR

v

Carol CHAN (female)

Charged as follows -

Cap.134

STATEMENT OF OFFENCE

Sec.4(1)(a) Trafficking in dangerous drugs,
& (3) contrary to section 4(1)(a) and (3)
 of the Dangerous Drugs Ordinance,
Cap.134

PARTICULARS OF OFFENCE

Carol CHAN, on the 24th day of May 2016, at Unit 101, 1st Floor, Venture Building, Kwai Chung, New Territories, Hong Kong, unlawfully trafficked in dangerous drugs, namely, 22.52 grammes of a crystalline solid containing 22.20 grammes of methamphetamine hydrochloride, 5.18 grammes of a solid containing 4.80 grammes of cocaine and 6.03 grammes of a powder

containing 2.99 grammes of
ketamine.

(signed)

Senior Assistant Director of
Public Prosecutions

for and on behalf of the Secretary
for Justice

Date: 10th October 2016

To: Carol CHAN (female)

TAKE NOTICE that you will answer to the
Indictment whereof this is a true copy at the High
Court, Queensway, Hong Kong, on the 1st day of
February, 2017.

Registrar

Witness statement of PC 111

1. I am PC 111, the arresting officer in the case. I joined the Police Force in 2009, currently attached to Special Duties Squad 1 of Tsuen Wan District.
2. At 1400 hours on 24 May 2016, I was on duty with Special Duties Squad 1 of Tsuen Wan District in plain clothes. From 1620 hours to 1635 hours, SGT 666 briefed that, led by him, PC 222, PC 333, PC 444, WPC 555 and I would mount an anti-drug operation at Unit 101, 1/F, Venture Building, Kwai Chung. We had a search warrant [Writ No. 1234/2016] issued by Tsuen Wan Magistrates Court.
3. At 1725 hours, we arrived in the vicinity of the above location and were instructed to lie in ambush in the corridor on 1/F, Venture Building.
4. At 1750 hours, I noticed a man [later known as Male, Thomas Tsoi, aged 43, hereinafter called AP2] stood outside Unit 101. At that time, I was around three to four metres away from AP2, and my view was not blocked and the light was sufficient. AP2, who was facing the wooden door, looked around and knocked on the door once with his right hand. The door was opened, and AP2 entered Unit 2. PC 333, PC 444 and I figured that it was the right time, and we went up to stop AP2. We found a woman [later known as Female, Carol Chan, aged 39, hereinafter AP1] inside Unit 101. We showed AP1-2 our police warrant cards to reveal our police identities and asked AP1-2 to produce their identification documents. Immediately afterwards, other squad members arrived at the scene and assisted in getting the scene under control.
5. At 1752 hours, SGT 666 showed AP1-2 the search warrant [Writ No. 1234/2016] and explained the contents of the search warrant.

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6. From 1758 hours to 1800 hours, in the toilet of the unit, WPC 555 searched AP1, and no suspicious items were found.
 7. At 1801 hours, witnessed by AP1-2, PC 222 searched the house.
 8. At 1810 hours, PC 222 found that a pink box on the round table near the sofa in the unit, contained the following items: *[Omitted - refer to evidential material in written exam]*.
 9. At 1812 hours, I declared arrest on AP1 for the offence of trafficking in a dangerous drug and cautioned her. After being cautioned, AP1 said to me, 'Ah Sir, I bought the dangerous drug ice, K Chai and Hoh Lok for treating others, and I would consume a little. Give me a chance.' Meanwhile, PC 333 declared arrest on AP2 for the same offence and cautioned him.
 10. At 1813 hours, in the presence of AP1-2, PC 222 continued to search the house.
 11. At 1821 hours, SGT 666 informed IP Au, the OC, about the situation.
 12. At 1829 hours, IP Au, the OC, arrived at the scene.
[Omitted – refer to evidential material in written exam]
 13. At 1905 hours, I handed over AP1's blue plastic wallet with 2,250 Hong Kong dollars inside on the round table to PC 222 for safekeeping.
 14. From 1910 hours to 1920 hours, in the unit, I issued and explained a Pol 153 to AP1, and AP1 signed to acknowledge receipt of its copy.
 15. From 1923 hours to 2015 hours, in the unit, I post-recorded a cautioned statement from AP1.

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16. From 2016 hours to 2018 hours, AP1, who was wearing a pair of green shorts, told me that she felt cold and wished to change into a pair of long trousers. After I had checked and confirmed that there were no suspicious items in the pair of long trousers chosen by AP1, AP1 changed into it in the toilet of the unit accompanied by WPC 555.
[Omitted – refer to evidential material in written exam]
17. From 0120 hours to 0230 hours, PC 222, WPC 555 and I took fingerprints from AP1.
[Omitted – refer to evidential material in written exam]

Witness statement of PC 222

1. I am PC 222, the exhibits officer in the case. I joined the Police Force in 2005, currently attached to Special Duties Squad 1 of Tsuen Wan District.
2. At 1400 hours on 24 May 2016, I was on duty with Special Duties Squad 1 of Tsuen Wan District in plain clothes. From 1405 hours to 1415 hours, IP Au, the OC, briefed the squad.
3. From 1620 hours to 1635 hours, SGT 666 briefed that, led by him, PC 111, PC 333, PC 444, WPC 555 and I would mount an anti-drug operation at Unit 101, 1/F, Venture Building, Kwai Chung with a search warrant issued by the Court.
4. At 1700 hours, we left the police station for Venture Building, Kwai Chung.
5. At 1725 hours, we arrived on 1/F, Venture Building to mount an anti-drug operation. SGT 666 instructed me to see if any suspicious persons went in or out at the back door on 1/F.
6. At 1750 hours, my squad members informed me that they noticed a man knocked on the door outside Unit 101, 1/F, and a woman opened the door, and that they figured it was the right time, and they entered the unit. I immediately went to the unit.
7. At 1752 hours, I noticed that there was only a woman [Carol Chan, later known as AP1] and a man [Thomas Tsoi, later known as AP2] in the unit. Then, SGT 666 showed the search warrant issued by the court and explained its content to AP1-2.
8. From 1755 hours to 1757 hours, PC 333 searched AP2, and nothing suspicious was found.

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9. From 1758 hours to 1800 hours, WPC 555 searched AP1, and nothing suspicious was found.
 10. At 1801 hours, witnessed by AP1-2, I searched the house. Meanwhile, AP1 was guarded by PC 111, and AP2 was guarded by PC 333.
 11. At 1810 hours, I found that a pink box on the round table near the sofa in the unit. After opening the box, I found inside it *[refer to evidential material in written exam for details]*. I immediately showed them to AP1-2 and my squad members.
 12. At 1812 hours, PC 111 declared arrest on AP1 for the offence of trafficking in a dangerous drug, and PC 333 declared arrest on AP2 for the offence of trafficking in a dangerous drug.
 13. At 1813 hours, I placed the pink box and the exhibits inside back to the original position, and continued to search the house.
 14. At 1829 hours, IP Au, the OC, arrived at the scene.
[Omitted – refer to evidential material in written exam]
 15. At 1902 hours, PC 333 handed over the yellow mobile phone seized from AP2 to me for safekeeping.
 16. At 1905 hours, PC 111 told me that the blue plastic wallet containing 2,250 Hong Kong dollars on the round table in the unit were exhibits of the case, and that I should keep them. The Samsung mobile phone on the table was seized. I seized the bunch of keys and two pages of rent receipts in the drawer at the scene as the exhibits of the case.
 17. At 1920 hours, WPC 555 contacted the officers of Identification Bureau.
 18. From 1925 hours to 1930 hours, I drew a sketch of the scene.

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19. At 2020 hours, SGT 777 and PC 888, the officers of Identification Bureau, arrived at the scene to collect evidence.
[Omitted – refer to evidential material in written exam]
 20. From 0016 hours to 0035 hours, PC 111 and I conducted a video recorded interview with AP1. Then, we waited for the arrival of AP2 for a video recorded interview.
 21. From 0127 to 0138 hours, PC 333 and I conducted a video recorded interview with AP2.
 22. From 0140 hours to 0230 hours, I assisted PC 111 and WPC 555 in taking fingerprints from AP1.
[Omitted – refer to evidential material in written exam]

Witness statement of SGT 666

1. I am SGT 666, the squad leader in the case. I joined the Police Force in 2000, currently attached to Special Duties Squad 1 of Tsuen Wan District.
2. At 1400 hours on 24 May 2016, I was on duty with Special Duties Squad 1 of Tsuen Wan District in plain clothes. From 1620 hours to 1635 hours, I briefed that, led by me, PC 111, PC 222, PC 333, PC 444 and WPC 555 would mount an anti-drug operation at Unit 101, 1/F, Venture Building, Kwai Chung. We had a search warrant [Writ No. 1234/2016] issued by Tsuen Wan Magistrates' Court.
3. At 1725 hours, we arrived in the vicinity of the above location and I instructed the squad to lie in ambush in the corridor on 1/F, Venture Building.
4. At 1750 hours, my squad members informed me that they entered the unit. I immediately went to the unit. A man [later known as Male, Thomas Tsoi, aged 43, hereinafter called AP2] and a woman [later known as Female, Carol Chan, aged 39, hereinafter AP1] were inside the unit. So I showed AP1-2 the search warrant [Writ No. 1234/2016] and explained the contents of the search warrant.
5. At 1801 hours, witnessed by AP1-2, PC 222 searched the house.
6. At 1810 hours, PC 222 found that a pink box on the round table near the sofa in the unit, contained the following items: *[Omitted - refer to evidential material in written exam]*.
7. At 1812 hours, PC 111 declared arrest on AP1 for the offence of trafficking in a dangerous drug and PC 333 declared arrest on AP2 for the same offence.
8. At 1821 hours, I informed IP Au, the OC, about the situation.

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9. At 1829 hours, IP Au, the OC, arrived at the scene.
[Omitted – refer to evidential material in written exam]
 10. At 2130 hours, after the squad reported the facts of the case and showed the suspected dangerous drugs to the Duty Officer, SSGT Luck, with AP1-2 under escort, I then reported off duty.

Statement given by Chan Tat Man

1. I am Chan Tat Man, aged 60. I am Carol Chan's father. I received education up to primary school.
2. I divorced with Carol Chan's mother some 20 years ago. As far as I know, she lives in Zhejiang, China. We have not been in contact for a while.
3. I now live in Shenzhen, China. I run a small ship construction business in Shenzhen. Given the business booming in recent years, I make about RMB 1-2 m profit per year. My cash flow is however, tight sometimes as I have to pay the workers and the suppliers first before I receive the last lumpsum payment from the client. Overall, my business is doing okay.
4. Carol is my only daughter. I would say she was a little rebellious after I divorced her mother in 1996. She did not do well in school, and she married David Cheung in 2002 against my will.
5. She moved to Hong Kong to live with David in around 2006. We were not in close contact for a while until she encountered problems in her marriage. I remember that was around 2010 or 2011, when David's delivery company closed down, and Carol had to work in a funeral place as a clerk. Carol would call me to complain about how much she hated the workplace and how her boss made her work extra shifts. So I started to remit money to her as a way of showing support and cheering her up.
6. Initially, because my business was not going as well as it is today and also because both Carol and David were working full time, I did not remit much. I would say I occasionally remitted RMB 5,000 to her if there was a special occasion, like festivals or her birthday.

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7. It was in early 2012 that Carol asked for more money. Carol told me that as she had separated with David in 2011, she had to quit her job to avoid David and she was too depressed to work. She asked me if I could support her living for a while, and I agreed. I would usually remit money at her request, but on average the remittance was RMB 10,000 per month.
 8. I am not a very organized person, and I do not think I've kept any remittance slips as I do not expect her to repay. I would remit to money exchange shops in Mongkok or Tsuen Wan, but I do not know if Carol had any receipts.
 9. She has not asked for more, but if she asked, I would be happy to remit more.
 10. I never heard Carol mention drugs or anything alike, and I never heard her talk about any bad influence.
 11. She may be having some troubles in her life, but she has always stayed away from unlawful matters. I don't believe she would sell drugs to other people or invite them to her home to share the drugs. At most she would take drugs alone in her home, without letting anyone know, just like she hid it away from me even if she did not have to.